

21813. Misbranding of Liberty Liniment and Cly-Tone Tonic. U. S. v. 10 Bottles of Liberty Liniment and 10 Bottles of Cly-Tone Tonic. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30786, 30787. Sample nos. 30476-A, 30477-A.)

Examination of the drug preparations involved in these cases disclosed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labelings.

On July 31, 1933 the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 10 bottles of Liberty Liniment and 10 bottles of Cly-Tone Tonic at Norfolk, Va., alleging that the articles had been shipped in interstate commerce on or about May 12, and May 16, 1933, by the Clyde Collins Chemical Co., Inc., from Memphis, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part, respectively: "Cly-Tone Tonic"; "Liberty Liniment Liberty Chemical Co., Memphis, Tenn."

Analyses of samples of the articles by this Department showed that the Liberty Liniment consisted essentially of a petroleum distillate, such as kerosene, and a small proportion of methyl salicylate; and that the Cly-Tone Tonic consisted essentially of Epsom salt, extracts of plant drugs, small proportions of salicylic acid and an iron compound, and water.

It was alleged in the libels that the articles were misbranded in that the following statements regarding their curative and therapeutic effects, appearing in the labelings, were false and fraudulent: (Liberty Liniment, bottle) "The Master of Pains For relief of Pains. Such as Rheumatism * * * Toothache Lamé Back Stiff and Sore Joints Sore * * * Feet"; (Liberty Liniment, carton) "The Master of Pains Such as * * * Toothaches, Stiff, Sore and Swollen Joints. Sore * * * Feet, Lamé Backs and a Wonderful Relief for Rheumatism. * * * The Miracle Oil"; (Cly-Tone Tonic, bottle and carton) "Cly-Tone Tonic Made for Your Health Cly-Tone is highly indicated in the treatment of chronic Constipation, Indigestion, Blood, Stomach, Kidney and Functional Disorders of the Liver"; (carton) "Indigestion * * * first aid to health for the Stomach, Blood, Liver or Kidneys."

On January 11, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21814. Misbranding of Heal-Kwik Plaster. U. S. v. 15 Heal-Kwik Plasters. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30896. Sample no. 43348-A.)

Examination of the drug product Heal-Kwik Plaster disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 14, 1933, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 Heal-Kwik Plasters at Jamaica, Long Island, N.Y., alleging that the article had been shipped in interstate commerce on or about June 28, 1933, by Andrew J. Pontier, from Clinton, N.J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of a plaster containing rosin, wax, and starch.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent: (Label) "Heal-Kwik Plaster 'It Heals Quickly' * * * Healing Remedy For Boils, Sores, * * * & Wounds of any kind Prevents Blood Poison, Draws Inflammation Out And Then Heals Quickly"; (display cards, (1)) "Close up view Bad Shape Heal-Kwik did the trick Ten Bones Averaging Two Inches Long Were Drawn From His Leg By Heal-Kwik Plaster Heal-Kwik Plaster Saves Amputation Of Boys Leg * * * Heal-Kwik Plaster Cured Him Heal-Kwik Plaster Saves Amputation Of Boys Leg Ten Bones Averaging Two Inches Long Were Drawn From His Leg By Heal-Kwik Plaster He Used Heal-Kwik"; (2) "Heal-Kwik Plaster 'It Heals Quickly' * * * Healing Remedy For Boils, Sores, * * * & Wounds of any kind Prevents Blood Poison, Draws Inflammation Out And Then Heals Quickly For Boils * * * Use Heal-Kwik * * * Heal-Kwik